

#53
Judge Hammond's
Case
#52-601

Kennedy's
Fraudulent Fact Sheet

SCHLUETER, KWIAT & KENNEDY LLLP

FACT SHEET

Pursuant to ORDER GRANTING PLAINTIFFS' RENEWED MOTION FOR SUMMARY JUDGMENT AND FOR INTERLOCUTORY DECREE OF FORECLOSURE (MARCH 21, 2018), in CIVIL NO. 15-1-0164K (Foreclosure) in the Circuit Court of the Third Circuit ("Order"), the undersigned commissioner has been directed to sell the property as described herein by public auction.

Information contained in Fact Sheet has been obtained from courses believed by Commissioner to be reliable, but may not necessarily be accurate or complete and cannot be guaranteed by Commissioner or relied upon by any prospective bidder on the property. **It is the sole responsible of all prospective bidders to verify the information contained herein through their own independent investigation and to hire their own professionals and/or consultants to obtain information regarding the property prior to bidding on the property.**

I. Property Description

- A. Address: N/A
- B. Tax Map Key: No. (3) 6-8-002-053
- C. Description: Undeveloped agricultural lot located on the northeast corner of Paniolo Ave and Waikoloa Rd.

II. Real Property Tax Information

- A. Market Land Value & Net Taxable Land Value: \$658,000.00
- B. Market Building Value & Net Taxable Building Value: \$0
- C. Total Taxable Value: \$658,000.00

III. Encumbrances and Other Information

Commissioner directs interested parties' attention to Order referenced above as to existing encumbrances set forth therein. As allowed by law, there may be encumbrances pursuant to Orders and further amounts and charges as may be approved by the Court, which may include Commissioner's fees and costs and real property taxes (see above). There may be other charges to the purchaser as allowed by law. There may be other encumbrances on this property. Bidders must conduct their own investigation as to any encumbrances that may affect this property. Bidders shall be responsible for their own due diligence as to title for this property.

IV. Sales Information

Auction Date: Monday, November 26, 2018, 12:00 PM (noon)
Auction Location: Flagpole at Hale Halawai, 75-5760 Alii Drive, Kailua-Kona, HI

75-167 Kalamii St, Suite 201
Kailua-Kona, HI 96740
(808) 987-7275
fax (808) 443-0339
andrew@kona-lawyer.com

SCHLUETER, KWIAT & KENNEDY LLLP

Property Viewing(s): Saturday, November 3, 2018 from 10:00 AM to 12:00 PM
Sunday, November 4, 2018 from 10:00 AM to 12:00 PM

V. Terms

Property is to be sold in its "as is" condition, without any representations or warranties whatsoever as to title or possession and by way of a quitclaim conveyance by public commissioner's sale ("Sale"), without an upset price, in accordance with Order. Sale is subject to Court's confirmation.

Pursuant to Order, Plaintiff and all parties are authorized to purchase the mortgaged property at Sale. The successful bidder at Sale shall make a down payment to the Commissioner in an amount not less than ten percent (10%) of the highest successful bid price. The payment shall be in cash, money order, by cashier's check or by certified check, provided that Plaintiff may satisfy the down payment by way of offset up to the amount of its secured debt ("credit bid"). Prior to bidding, any person not previously authorized to credit bid must show the Commissioner such persons present ability to make the required down payment immediately upon the close of bidding at Sale. At the Court's discretion, the 10% down payment may be forfeited in whole or in part if the purchaser fails to pay the balance of the purchase price as required and set forth below. The balance of the purchase price shall be paid to the Commissioner upon approval and confirmation of the Sale.

The Commissioner shall hold the proceeds of Sale subject to the directions of the Court. A hearing shall be held to consider confirmation of Sale. At that hearing, the Court shall hear the proof of claim of any other party and shall determine the priority among the claims of the parties besides Plaintiff. At hearing, the Court may, for good cause, allow further bidding. In the event that such bidding is allowed, the first post auction bid must be at least one hundred five percent (105%) of the highest bid at Sale. The court shall determine the amount of fees of the Commissioner and the amount of the attorneys' fees and costs of Plaintiff and shall direct the final payment of the proceeds of the sale. Upon distribution of the Sale proceeds according to the directions of the Court, the Commissioner shall file an accurate accounting of receipts expenses and distributions.

The Commissioner may require that Sale close through an escrow, even if the purchase does not require one. All costs and expenses of the closing of the Sale, including without limitation, the costs of conveyance, including preparation of the conveyance document, conveyance tax, escrow and recording fees, any proof of title or title insurance, and notary fees, as well as the costs of securing possession of the property, shall be the responsibility of and paid by the purchaser. Neither the availability of title insurance nor securing possession of the property shall be a condition of closing.

SALE SHALL NOT BE FINAL UNTIL APPROVED AND CONFIRMED BY THE COURT.

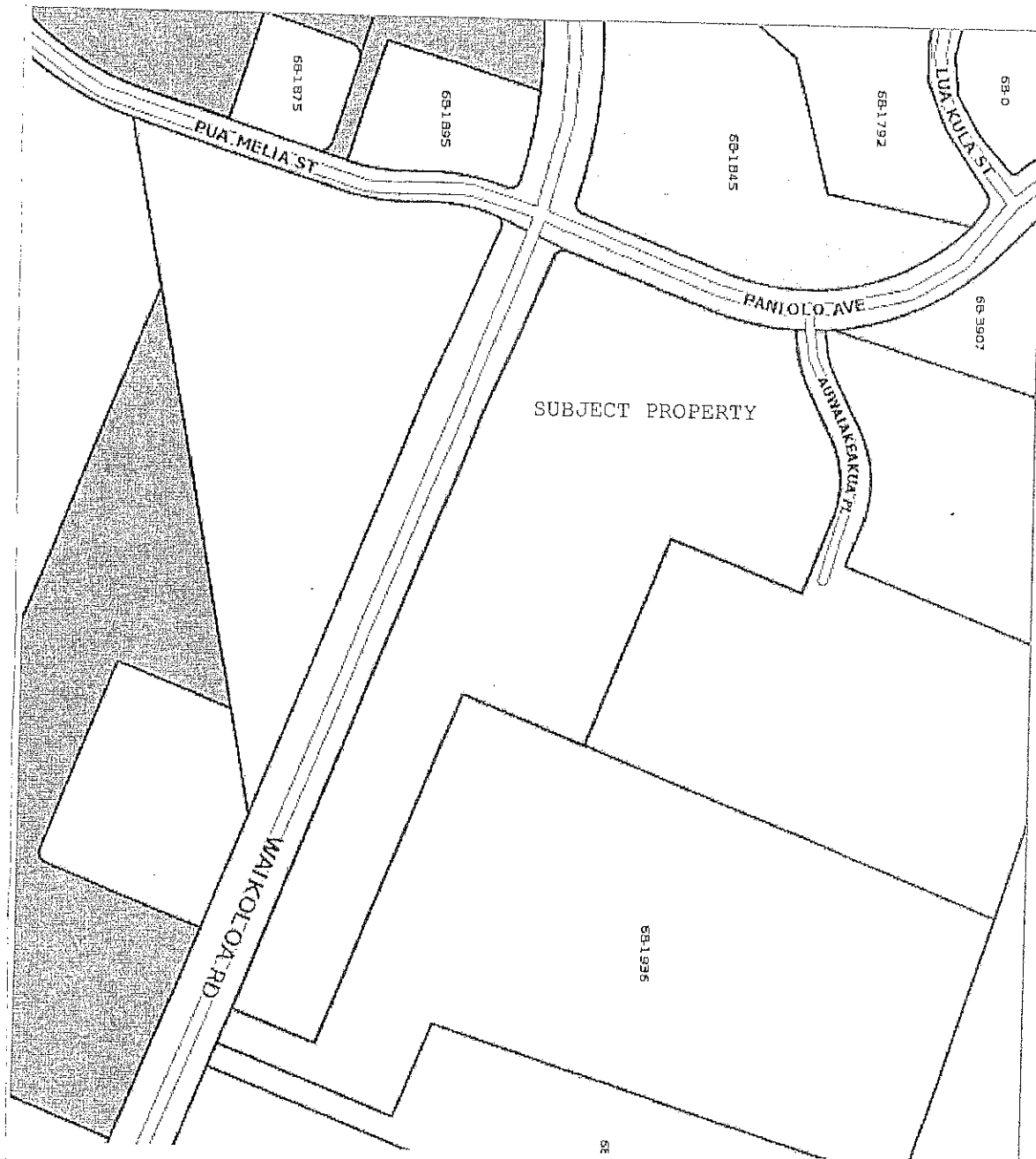
VI. Commissioner

Andrew M. Kennedy, Schluter, Kwiat & Kennedy LLP, 75-167 Kalani St, Suite 201, Kailua-Kona, HI 96740. Telephone No. 808-987-7275, Fax No. 808-339-1339. Email Andrew@kona-lawyer.com

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Kailua-Kona, HI 96740
(808) 987-7275
fax (808) 443-0339
andrew@kona-lawyer.com

Page 2 of 2

PARCEL MAP
PARCEL NUMBER 680020530000





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Owner and Parcel Information			
Owner Name	HAWAIIAN RIVERBEND LLC Fee Owner, Tenants in Severalty	Today's Date	April 24, 2018
Mailing Address	ATTN:MIROYAN,MICHAEL PO BOX 3181 SARATOGA, CA 95070-1181	Parcel Number	680020530000
Location Address		Project Name	
Property Class	AGRICULTURAL	Parcel Map	Show Parcel Map Plat (TMK) Maps
Neighborhood Code	6822-8	Land Area (acres)	14.622
Legal Information	FROM: 6802-21 14.622 AC NEW PARCEL	Land Area (approximate sq ft)	636,934

Assessment Information Show Historical Assessments										
Year	Property Class	Market Land Value	Dedicated Use Value	Land Exemption	Net Taxable Land Value	Market Building Value	Assessed Building Value	Building Exemption	Net Taxable Building Value	Total Taxable Value
2018	AGRICULTURAL	\$ 658,000	\$ 0	\$ 0	\$ 658,000	\$ 0	\$ 0	\$ 0	\$ 0	\$ 658,000

Appeal Information			
No appeal information on parcel.			
Land Information			
Property Class	Square Footage	Acreage	Agricultural Usage
	636,934	14.622	

Improvement Information	
No improvement information available for this parcel.	

Other Building and Yard Improvements				
Description	Quantity	Year Built	Area	Gross Building Value
No information associated with this parcel.				

Permit Information			
Date	Permit Number	Reason	Permit Amount
No permit information associated with this parcel.			

Dept of Public Works Bldg Division Permit and Inspections Information							
Permit Date	Permit Type	Permit Number	Permit Reason	Permit Description	Estimated Cost	Inspection Date	Inspection Status
No permit and inspections information associated with this parcel.							
As a courtesy to the public, we provide building permit data as supplied by the Department of Public Works. As such, no warranties, expressed or implied, are provided for the data herein, its use or its interpretation, and accuracy.							

Sales Information										
Sale Date	Sale Amount	Instrument #	Instrument Type	Instrument Description	Date of Recording	Land Court Document Number	Cert #	Book/Page	Conveyance Tax	Document Type
11/29/2012	\$ 0		OTHER	Mapping Change	11/29/2012					Mapping Change

Current Tax Bill Information				2018 Tax Payments		Show Historical Taxes			
Tax Period	Description	Original Due Date	Taxes Assessment	Tax Credits	Net Tax	Penalty	Interest	Other	Amount Due
PRIOR	Real Property Tax	08/20/2013	\$ 0.00	\$ 0.00	\$ 5,453.80	\$ 545.38	\$ 3,179.57	\$ 650.00	\$ 9,828.75
2014-1	Real Property Tax	08/20/2014	\$ 0.00	\$ 0.00	\$ 2,726.90	\$ 272.69	\$ 1,319.82	\$ 0.00	\$ 4,319.41
2014-2	Real Property Tax	02/20/2015	\$ 0.00	\$ 0.00	\$ 2,726.90	\$ 272.69	\$ 1,139.84	\$ 0.00	\$ 4,139.43
2015-1	Real Property Tax	08/20/2015	\$ 0.00	\$ 0.00	\$ 2,183.00	\$ 218.30	\$ 768.42	\$ 0.00	\$ 3,169.72
2015-2	Real Property Tax	02/22/2016	\$ 0.00	\$ 0.00	\$ 2,183.00	\$ 218.30	\$ 624.34	\$ 0.00	\$ 3,025.64
2016-1	Real Property Tax	08/22/2016	\$ 0.00	\$ 0.00	\$ 2,183.00	\$ 218.30	\$ 480.26	\$ 0.00	\$ 2,881.56
2016-2	Real Property Tax	02/21/2017	\$ 0.00	\$ 0.00	\$ 2,183.00	\$ 218.30	\$ 336.18	\$ 0.00	\$ 2,737.48
2017-1	Real Property Tax	08/21/2017	\$ 0.00	\$ 0.00	\$ 2,206.60	\$ 220.66	\$ 194.18	\$ 0.00	\$ 2,621.44
2017-2	Real Property Tax	02/20/2018	\$ 0.00	\$ 0.00	\$ 2,206.60	\$ 220.66	\$ 48.55	\$ 0.00	\$ 2,475.81
									\$ 35,199.24

4/24/2018

qpublic9.qpublic.net/hi_hawaii_display.php?county=hi_hawaii&KEY=680020530000

Tax bill is computed to 04/30/2018 Or pay online at <http://payments.hawaii.gov/propertytax/hawaii> Other Payment Options Click [Here](#)

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7

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2

Fwd: Fact Sheet for Foreclosure Property Inbox

Starred

Snoozed

Sent

Drafts

More



anil

+

Michael Miroyan <mac8881@me.com>
to me

Sent from my #15 iPhone

Begin forwarded message:

From: Michael Miroyan <mac8881@me.com>
Date: February 22, 2019 at 9:58:44 AM PST
To: sbarraga@eliprobailbond.com
Subject: Fwd: Fact Sheet for Foreclosure Property

Sent from my #15 iPhone

Begin forwarded message:

From: Michael Miroyan <mac8881@me.com>
Date: February 22, 2019 at 3:51:08 AM PST
To: "Malik, " <maliklaw@gmail.com>
Subject: Fwd: Fact Sheet for Foreclosure Property

No recent chats
Start a new one

Sent from my #15 iPhone

Begin forwarded message:

From: Roger Wehrsig <gm@wvqoll.com>
Date: October 15, 2018 at 3:23:30 PM PDT
To: "Michael Miroyan" <mac8881@me.com>
Subject: FW: Fact Sheet for Foreclosure Property

Michael Mirovan

P.O. Box 3181

Saralaga, CA 95070-1181

408 913-3123

Pro se

Electronically Filed
Intermediate Court of Appeals
CAAP-18-0000883
29-AUG-2018
03:55 PM

Circuit Court for the Third Circuit

STATE OF HAWAII

Cory Toreick

Plaintiff,

v.

Hawaiian Riverbond, LLC

Defendant.

TRIAL COURT CASE NO. 14-1-0428K

NOTICE OF APPEAL

Notice is hereby given that Hawaiian Riverbond, LLC
by and through ~~Michael Mirovan~~ Michael Mirovan, pro se
pursuant to section DANER 641-1(a), Hawaii
Revised Statutes, and Rule 3 of the Hawaii Rules of Appellate Procedure

, appeals to the Intermediate Court of Appeals of the State of Hawaii
from the judgment AND ORDER of 3rd Circuit Court, Inaga Kim
filed herein on July 31, 2018, and attached hereto as Exhibit "A" (if required under Hawaii
Rules of Appellate Procedure Rule 3).

DATED: 8/29/18San Jose, Ca.

AMENDED ORDER dated 8/10/18

Pro se

HEAP Form 1 (09/10)
HAWAIIAN RIVERBOND, LLC

Recall Form

* Note: Defendant has NEVER SEEN NOR BEEN PROVIDED the order
filed on 8/31/18. Defendant was never served nor allowed ANY
input due to "Lack of Standing" even though it is a single member LLC.

10/10 3004

A 201808231400 03133

9190100000

10:10 0100/01/10



HP LaserJet 400 M401n

HP Web Services

Enable HP Web Services

NOTE: HP Web Services requires the printer to be connected to a network.

1. Once the printer is connected to a network, enter the printer's network IP address into a Web browser. To find the printer's IP address, refer to the printer's user guide, or reprint this page after the printer is connected to the network.
2. On the Web page that appears, click on the HP Web Services tab.
3. Review and accept the terms of use, and then click the Enable button.

HP ePrint

Print from Anywhere

HP's free ePrint service provides an easy way to print from e-mail, anywhere and anytime. Simply attach a file to an e-mail, and send it to this printer's e-mail address. The attachment will print automatically on this printer. Supported attachment file types include .pdf, .jpg, .tif, and Microsoft Office(R) documents.

NOTE: Attachments may print differently than they appear in the software program which created them, depending on the original fonts and layout options used.

Your Printer is Protected

To help prevent unauthorized e-mail, HP assigns a random e-mail address to your printer, never publicizes this address, and by default does not respond to any sender. ePrint also provides industry-standard spam filtering and transforms e-mail and attachments to a print-only format to reduce the threat of a virus or other harmful content.

NOTE: The ePrint service does not filter e-mails based on content, so it cannot prevent objectionable or copyrighted material from being printed.

HP ePrintCenter

Use the HP ePrintCenter Web Site

Use HP's free ePrintCenter Web site to set up increased security for ePrint, specify the e-mail addresses that are allowed to send e-mail to your printer, get Print Apps (if available for your product), and access other free services.

- Go to the HP ePrintCenter Web site for more information and specific terms and conditions:
www.hpPrintCenter.com

Therefore the Kais can show no money trail for the increase of their original \$540,000 1st mortgage turning into \$900,000 and they offer no reason whatsoever as to why Miroyan signed the mortgage on Aug 8, 2013 but never notarized his signature and why oh why did it not record until the fraud recording on Nov. 13 3 months and four days after Miroyan signed. Why the delay? What broke the log jam to allow recording? Nothing. It was going nowhere near recordation because the Kai's never returned the original mortgage per Miroyan's reasonable request and more importantly there was no meeting of the minds as to how to set an outside date whereby Miroyan would agree to when the Kai's monies (\$360,000 only in cash) would have to be paid back.

The Kais committed fraud. The Kais committed criminal acts in furtherance of the conspiracy hatched between them and their miscreant attorneys in Hawaii Michael Carol and his lapdog the crown sleeze factor in this fraud, Matthew Shannon both of whom should be disbarred from practicing law in the corrupt state of Hawaii because they are committing criminal acts like the bribing of Rose Kagawa a Title Guarantee and trust escrow officer and assistant to Janet Lum Won, Miroyan's escrow officer who put the fraudulently notarized Miroyan signature verification form and the mortgage into the escrow companies "overnite pouch" going to the Bureau of Conveyance who essentially rubber stamps and records any document if it is properly prepared and has the correct legal description attached to it if it receives it from a well known bonded title company especially TG&T – Hawaii's most prominent.

So Carol and Shannon not only instruct their clients how to commit fraud and prepare documents illegally in furtherance of that fraud they also enlist and bribe others to join their conspiracy to commit fraud with the sole purpose of and intent of their entire efforts focused on the unlawful and illegal stealing a man's land – their goal is to steal the land of Michael Miroyan and observe these actions pathetic, blatant, arrogant, and stupid to the point they can't even answer as to why they would do something so obvious and transparent as to who it benefits that's why they hate an honest court and an honest judge - that's the last thing they want.

It will be their demise. In Hawaii lawyers are allowed to steal because they like their pathetic cancer of the courts that they don't see as terminal – it's just part of the "perks and bennies" of the job and the FBI does nothing – the AUSA does nothing and so since the "fix" is in... in Hawaii... they want to obliterate our constitution and our Bill of Rights and the due process rights of whoever they so decide on a whim on any given day and you all just let us be... we seen things our way and we don't like any interference. So what if we are stealing a senior citizens land – his from California not Hawaii and he did prison time for marijuana in 1970's and for cocaine conspiracy in the 80's – it doesn't matter that he paid his debt for those "crimes" we want to steal those millions that he made 10 years after he got out of prison and that's our reason so he's blacklisted and he can't even hire an attorney in this state; now just send him back to us and we will finish it – nobody here (Hawaii) cares about the US Constitution, the Bill of Rights, or any oath of office or sworn vow – we do it our way and then our judges clean it up. The guy was a nonviolent drug dealer 20 years before he bought his partner to our state and spent \$60 million!! That's reason enough to blacklist and strip him – maybe we will put him in prison here

and he accidentally die – what do you care – why should you care about him or the 20 years old outdated stupid documents – send him here to us and you won't have to worry about it anymore.

This is the reasoning of inmate ex attorney Michael Carrol and his cellmate inmate idiot liar lapdog Matt Shannon and the Kai's want, for love of money, Miroyan's land so bad that they fund this madness but now every dog has its waterloo.

Behold, Courtroom 3020 in the San Jose Bankruptcy Federal Building in San Jose, CA where the US Marshalls personally handle the security, entrance and exiting of US citizens and others who have business in their buildings the federal governments business of upholding those certain "unalienable rights" as they were called by our 3rd President 200+ years ago, those marshalls who protect our President, who protect our federal judges, whose security of people and our laws are taken very seriously as well they should be.

Carrol and Shannon in Hawaii can lay in the weeds hidden by the lying Kais who are good liars for \$5 million in equity and remained hidden with Kais lying to Miroyan's face for 3 years and all the while Miroyan didn't even know who he was up against. These cowards don't want to go

11/2018

Fwd: Re : Tmk#: 6-8-002-053 May I please have the correct zoning emailed back to me ...

From: Michael Miroyan <mac8881@me.com>

To: Asher <traderash@aol.com>

Subject: Fwd: Re : Tmk#: 6-8-002-053 May I please have the correct zoning emailed back to me ...

Date: Sun, Nov 11, 2018 9:45 pm

Attachments: ORD 2013-028.pdf (341K), State Land Use Map (Urban).jpg (349K), County Zoning (CV-20).jpg (372K)

Would you please print this for me?

Thanks !

Michael Miroyan

Sent from mmiphone

Begin forwarded message:

CASE #18-52601

PLANNING Dept
JEFF DARROW busts
Commissioner Kennedy
on his FALSE
ADVERTISING

FRAUD
KHI
CASE

From: "Darrow, Jeff" <Jeff.Darrow@hawaiicounty.gov>
Date: October 31, 2018 at 6:23:35 PM PDT
To: Michael Miroyan <mac8881@me.com>, Planning Internet Mail <planning@co.hawaii.hi.us>
Cc: Ryan Smith <ryansmith.123@aol.com>, Root Terry Atty <terry@jsullinc.com>, Asher <traderash@aol.com>, Hoffman Jeff <jeff@jedwardscompany.com>, KeoniSchultz <wshultz@cades.com>, "Love, John Atty Hi" <jlove@cades.com>, AA TonySeed1 <uncletony49@gmail.com>, Hal Barker Hal <halbnormal@yahoo.com>, "Trish Cya Ins." <cyains01@yahoo.com>, "andrew@kona-lawyer.com" <andrew@kona-lawyer.com>, "Arai, Daryn" <Daryn.Arai@hawaiicounty.gov>, Hawaii Civil-Peter Dahlberg <pdahlberg@hawaii.rr.com>, "Riehm Michael J." <ropa@hawaii.rr.com>, "Roger Wehrsigg Waikalua Village Grn Mgr." <gm@wvagolf.com>
Subject: RE: Re : Tmk#: 6-8-002-053 May I please have the correct zoning emailed back to me ...

Aloha Mr. Miroyan,

This is to confirm and correct the zoning for the above-referenced property (TMK:6-8-002:053). The property is not zoned Agricultural but was rezoned to State Land Use Urban and County Zoning Village Commercial (CV-20) in 2013 (Ordinance attached). I am attaching a copy of the State Land Use Map, which identifies the property in the Urban district and a copy of the County Zoning map, which identifies the zoning of the property as Village Commercial (CV-20).

Please let me know if you have any further questions.

Thanx,

Jeff

Jeffrey W. Darrow, Planning Program Manager
County of Hawaii Planning Department
101 Pauahi Street, Suite 3
Hilo, HI 96720
808-961-8158

-----Original Message-----

From: Michael Miroyan <mac8881@me.com>

Sent: Wednesday, October 31, 2018 1:51 PM

https://mail.aol.com/webmail-std/en-us/PrintMessage

Case 18-52601 Doc# 626 Filed 02/28/19 Entered: 02/28/19 17:15:20 Page 12 of 15

To: Planning Internet Mail <planning@co.hawaii.hi.us>
Cc: Ryan Smith <ryansmith.123@aol.com>; Root Terry Atty <terry@jsullinc.com>; Asher <traderash@aol.com>; Hoffman Jeff <jeff@jedwardscompany.com>; KeoniSchultz <wshultz@cades.com>; Love, John Atty Hi <jlove@cades.com>; AA TonySeed1 <uncleltony49@gmail.com>; Hal Barker Hal <halbnormal@yahoo.com>; Trish Cya Ins. <cyains01@yahoo.com>; Darrow, Jeff <Jeff.Darrow@hawaiicounty.gov>; andrew@kona-lawyer.com; Arai, Daryn <Daryn.Arai@hawaiicounty.gov>; Hawaii Civil-Peter Dahlberg <pdahlberg@hawaii.rr.com>; Riehm Michael J. <ropa@hawaii.rr.com>; Roger Wehrs sig Waikaloo Village Grn Mgr. <gm@wvagolf.com>
Subject: Re : Tmk#: 6-8-002-053 May I please have the correct zoning emailed back to me ...

31 October 2018

To Planning Department in Hilo:
& to Planning Department in Kona...

My request is very simple: ...Will you please provide me with the current zoning for this property? It would simply be a reply to this email . just tell me what the current zoning is please

I am the rightful owner of the property and it's in my name. I need to receive this information promptly because the property is going to a foreclosure auction on 11-26-18 ; and today is Halloween 10-31-18

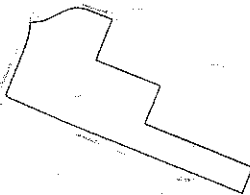
Thank you for your prompt attention to this simple matter in understanding its urgency.

Wishing you all the best, Respectfully yours,

Michael Miroyan
408 - 913 -3123

Sent from mmiphone

2Attached Images



11/11/2018

Fwd: Re : Tmk#: 6-8-002-053 May I please have the correct zoning emailed back to me ...

